

## Message Text

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14

ACTION DLOS-04

INFO OCT-01 ARA-10 ISO-00 FEA-01 ACDA-10 AGR-10 AID-05

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H-02 INR-07 INT-05 IO-11 JUSE-00 L-03 NSAE-00 NSC-05

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FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 3062

UNCLAS MEXICO 2098

PASS NATIONAL MARINE FISHERIES SERVICE

E. O. 11652: N/A

TAGS: PLOS, EFIS, MX

SUBJECT: REVISION OF ARTICLE 37 OF THE MEXICAN FISHERIES LAW

1. ON FEBRUARY 13 THE OFICIAL GAZETTE PUBLISHED A REVISION OF ARTICLE 37 OF THE NATIONAL FISHERIES LAW WHICH WILL GO INTO EFFECT SIMULTANEOUSLY WITH THE CONSTITUTIONAL REFORM ESTABLISHING AN EXCLUSIVE ECONOMIC ZONE. THAT DATE IS NOW JUNE 5, 1976 (REPORTED IN SEPTEL) ARTICLE 37 IS THAT PART OF THE MEXICAN FISHERIES LAW WHICH SETS FORTH THE CONDITIONS UNDER WHICH FOREIGN FLAG VESSELS MAY BE PERMITTED TO FISH IN MEXICAN WATERS. THIS IS THE ARTICLE THAT WAS THE SUBJECT OF A SERIES OF BILATERAL DISCUSSIONS IN 1972.

2. THERE ARE ONLY TWO CHANGES IN THE PRESENT ARTICLE 37. THE FIRST IS IN THE INTRODUCTION, AND INFORMAL TRANSLATION OF WHICH IS AS FOLLOWS: "COMMERCIAL FISHING BY FOREIGN  
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VESSELS IS PROHIBITED IN TERRITORIAL WATERS AND IN THE

EXCLUSIVE ECONOMIC ZONE.

UNDER CERTAIN CIRCUMSTANCES THE FEDERAL EXECUTIVE THROUGH THE SECRETARIAT OF INDUSTRY AND COMMERCE CAN GIVE PERMISSION TO FISH TO FOREIGN VESSELS FOR EACH VOYAGE, WHEN THE TOTAL PERMISSIBLE CATCH OF A SPECIES IS GREATER THAN THE FISHING CAPACITY OF THE NATIONAL FLEET." THE SECOND IS THE INCLUSION OF AN ARTICLE WHICH REQUIRES THAT FOREIGN VESSELS LICENSED TO FISH WITHIN THE ZONE PROVIDE TO GOM ANY TECHNOLOGY INVOLVED IN THE HARVESTING OR INDUSTRIALIZATION OF THE CATCH, AT NO COST TO GOM.

3. ARTICLE 37 RETAINS THE PROVISION THAT AT LEAST 50 PERCENT OF THE CREWS OF LICENSED VESSELS MUST BE MEXICANS. WE HAVE SUCCESSFULLY RESOLVED THIS PROBLEM IN RESPECT TO SMALL VESSELS FISHING WITHIN THE PRESENT 12 MILE LIMIT BUT CAN FORESEE PROBLEMS WITH LARGE SEINERS FISHING IN THE ECONOMIC ZONE. WE BELIEVE THAT CONSULTATIONS WITH MEXICO ON THIS SUBJECT ARE NECESSARY IN THE NEAR FUTURE.

JOVA

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## Message Attributes

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